

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claim 4 is the sole active claim in this case and is amended herewith, Claim 6 having been previously canceled, and Claims 1-3, 5, 7, and 8 having been previously withdrawn from consideration. The amendment to Claim 4 does not add new matter and is supported by the originally filed specification, for example, on page 12, line 23 to page 13, line 5; page 13, line 21 to page 15, line 12; and Figure 12.

In the outstanding Office Action, Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kuribayashi (U.S. Patent No. 6,434,091) in view of Lee et al. (U.S. Patent No. 7,184,391, hereafter "Lee").

With respect to the rejection of Claim 4 under 35 U.S.C. §103(a), Applicants respectfully submit that the amendment to Claim 4 overcomes this ground of rejection. Amended Claim 4 recites, *inter alia*,

An information recording medium comprising a guide groove along which information is recorded in an information recording region, the information being formed as a recorded mark in both of concave and convex portions of the guide groove, management information including address information being recorded in both of land and groove tracks by a wobble of the guide groove, a width of a part of the land or the groove track fluctuating based on a modulation of a neighboring groove or land track, and the recorded mark being recorded in a wobble modulation region of the land and the groove tracks.

Applicants respectfully submit that Kuribayashi fails to disclose or suggest these features of amended Claim 4.

Applicants' Figures 4 and 5A show a non-limiting example of the features of Claim 1. Figure 4 shows that a recorded mark (user data) is recorded in both a land track and a groove track of a recording medium. Figure 5A further shows that the recorded mark is recorded in a

wobble modulation region of the land and the groove tracks. Management information, including address information, is recorded by modulating a wobble of the guide groove (see specification, at page 12, line 23 to page 13, line 5). Since a wobble address and a recorded mark are recorded in the same region in this manner, the information recording medium according to the above-described example has a configuration capable of achieving high information recording density.

Further, in the non-limiting example shown in Figure 12, a width of a part of the land or the groove track fluctuates based on the modulation of a neighboring groove or land track and the phase difference between the adjacent tracks is reduced (see specification, at page 13, line 21 to page 15, line 12). Accordingly, information can be recorded on the wobble of the land and the groove tracks with a sufficient precision (see specification, at page 15, lines 6-12).

Kuribayashi is directed towards an information recording disc and apparatus. Figure 1 of Kuribayashi shows a groove track 5 and a land track 7 formed on a disc surface 3 of a disc 1. Kuribayashi only describes that recording is performed on the groove track 5 (see col. 6, lines 43-49 of Kuribayashi). Additionally, Kuribayashi describes that a wobble is only formed on the groove track 5 (see col. 6, lines 65-66 of Kuribayashi). Kuribayashi does not describe that address information is recorded on both land track 7 and groove track 5 by a wobble of the guide groove. Therefore, Kuribayashi fails to disclose or suggest that “management information including address information being recorded *in both of land and groove tracks by a wobble of the guide groove*, a width of a part of the land or the groove track fluctuating based on a modulation of a neighboring groove or land track, *and the recorded mark being recorded in a wobble modulation region of the land and the groove tracks*,” as defined by amended Claim 4.

The Office Action also relies on Lee to suggest that “the technique of recording on both land and groove tracks for increasing recording density is old and widely used in the art.” (See Office Action, at pages 3-4). The Office Action does not cite to a specific portion of Lee. Fig. 3 of Lee shows that each track is divided into a header area and a user data area. Lee describes that header information is recorded only in the land and groove tracks of the header area, and user data can only be recorded in the land and groove tracks of the user data area (see Lee at col. 5, lines 22-45). Thus, Lee describes separating “header data” and “user data” on to different land and groove track areas, but does not describe using the same land and groove tracks to record address information by a wobble of the guide groove and to record a recording mark in a wobble modulation region of the land and groove tracks.

Therefore, Lee fails to disclose or suggest “management information including address information being recorded in both of land and groove tracks by a wobble of the guide groove, a width of a part of the land or the groove track fluctuating based on a modulation of a neighboring groove or land track, and the recorded mark being recorded in a wobble modulation region of the land and the groove tracks,” as defined by amended Claim 4.

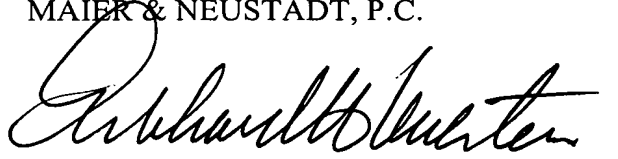
Thus, Lee fails to remedy the deficiencies of Kuribayashi with regards to amended Claim 4.

Therefore, Applicants respectfully submit that amended Claim 4 patentably distinguishes over Kuribayashi and Lee, either alone or in proper combination.

Consequently, in light of the above discussion and in view of the present amendment, the outstanding grounds for rejection are believed to have been overcome. The present application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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